

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE LUMIFY

Civil Action No. 21-16766 (RK) (RLS)
(CONSOLIDATED)

**SUPPLEMENTAL DECLARATION OF BRYAN C. DINER IN SUPPORT OF
PLAINTIFFS' RESPONSIVE *MARKMAN* BRIEF**

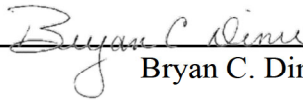
I, Bryan C. Diner, hereby declare the following:

1. I am an attorney at the Washington, D.C. office of Finnegan, Henderson, Farabow, Garrett, & Dunner, LLP, and I represent Plaintiffs Bausch & Lomb, Inc., Bausch & Lomb Ireland Limited, and Eye Therapies, LLC (collectively, "Plaintiffs") in this action. The Defendants in this action are Dr. Reddy's Laboratories Inc., Dr. Reddy's Laboratories, S.A., Slayback Pharma LLC, and Slayback Pharma India LLP (collectively, "Defendants"). I submit this Supplemental Declaration in support of Plaintiffs' Responsive *Markman* Brief.

2. Attached hereto as Exhibit 19 is a true and correct copy of "Supplemental Examination Guidelines for Determining Compliance with 35 U.S.C. 112 and for Treatment of Related Issued in Patent Application", Federal Register Vol. 76, No. 27, February 9, 2011, available at <https://www.govinfo.gov/content/pkg/FR-2011-02-09/pdf/2011-2841.pdf>, last accessed on December 20, 2023.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of December, 2023.



Bryan C. Diner